

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Northern District of New York

UNITED STATES OF AMERICA)

v.)

Case No. 5:25-MJ-81 (ML)

YOVANI HUMBERTO MARROQUIN-)
RAMIREZ,)

Defendant)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of March 24, 2025 in the county of Onondaga in the Northern District of New York the defendant violated:

Code Section

8 U.S.C. § 1326(a)

Offense Description

The defendant, an alien, native and citizen of Guatemala, after having been removed from the United States, entered, and was thereafter found in the United States without having obtained the express consent of the Attorney General of the United States, or his successor, the Secretary of the Department of Homeland Security, for reapplication for admission into the United States.

This criminal complaint is based on these facts:
See attached affidavit

☒ Continued on the attached sheet.

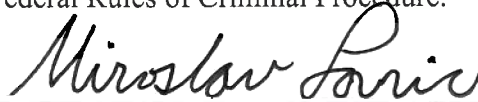

Complainant's signature

Randy Aponte, Border Patrol Agent

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: March 25, 2025


Judge's signature

City and State: Binghamton, New York

Hon. Miroslav Lovric, U.S. Magistrate Judge

Printed name and title

United States District Court
Northern District of New York

United States of America

v.

Yovani Humberto Marroquin-Ramirez

AFFIDAVIT

I, Randy Aponte being duly sworn, depose and state the following:

I am a U.S. Border Patrol Agent assigned to the United States Border Patrol, Buffalo Sector, which is part of the Bureau of Customs and Border Protection. My current duty station is the U.S. Border Patrol Oswego Station, located in Oswego, New York. I have been a U.S. Border Patrol Agent for about a year and a half. One of the U.S Border Patrol's primary missions is to apprehend undocumented foreign nationals. My authority to perform this mission is articulated in sections 287 and 235 of the Immigration and Nationality Act. This body of law relates to, among other things, the arresting of previously deported aliens who subsequently reenter the United States. I make this affidavit in support of the complaint for a violation of Title 8, United States Code, Section 1326(a) against Yovani Humberto MARROQUIN-Ramirez.

This affidavit is based upon my review of immigration data base checks conducted on Yovani Humberto Marroquin-Ramirez and interviews of law enforcement personnel involved in his arrest.

1. On March 24, 2025, at approximately 6:40 p.m., Border Patrol Agent (BPA) Burrell and Homeland Security Investigations Criminal Investigator Ball had a consensual encounter with Marroquin-Ramirez in the parking lot near North Salina Street and Ash Street in Syracuse, NY. The Disrupt Units from Oswego and Wellesley Island stations assisted BPA Burrell during the encounter. BPA Burrell identified himself as a United States Border Patrol agent and questioned MARROQUIN -Ramirez and 3 other individuals as to their country of citizenship. All four individuals claimed they were citizens of Guatemala and had no documentation to be in the United States legally. All subjects also claimed they did not have any identification except their Guatemalan Identification Cards.
2. One of the subjects, later identified as MARROQUIN-Ramirez, Yovani Humberto (COC: Guatemala), claimed to have entered illegally through the international boundary of the United States and Mexico years ago. BPA Burrell arrested the subject for being in the United States illegally and he was transported to the Oswego Border Patrol station for processing and further investigation.
3. At the Oswego Station, Yovani Humberto MARROQUIN-Ramirez biographical information and fingerprints were entered into the E3/Ident/IAFIS computer systems. Buffalo Sector Communications completed criminal and immigration checks. Records checks revealed that MARROQUIN-Ramirez illegally crossed into the United States on 05/09/2019 at/near Hidalgo, Texas. MARROQUIN-Ramirez was apprehended by McAllen Station Border

Patrol Agents on 05/09/2019. MARROQUIN-Ramirez was processed as an Expedited Removal and ordered removed on 06/03/2019. MARROQUIN-Ramirez was removed through Valley International Airport in McAllen, Texas on 06/03/2019.

4. On March 24th, 2025, Border Patrol Agent (BPA) Jason Burrell along with BPA Randy Aponte conducted an interview of Yovani H. Marroquin-Ramirez. Yovani was read his rights by BPA Aponte at approximately 10:44 P.M. Yovani waived his rights to an attorney and spoke with BPA's Burrell and Aponte. During the debrief, Yovani admitted that in 2019, while being 18 years old, he entered the United States illegally through McAllen, Texas where he was apprehended by Border Patrol. This apprehension resulted in him being removed from the United States back to Guatemala. Yovani said he then re-entered the United States illegally for the second time in 2021. He stated that he entered through McAllen, Texas again. Yovani stated that he was again apprehended but was immediately sent back to Mexico the same day. Yovani stated after being sent back to Mexico sent he paid a guy \$15000 to get help him cross the border and transport him to New Jersey. Yovani said he was given a ride to New Jersey after successfully crossing the border in McAllen, Texas. He claims he lived and worked in New Jersey for a year before travelling to New York State to live and work.
5. Through a review of law enforcement databases, I have further determined that the defendant has never applied for or received permission to reenter the United States from the Attorney General or the Secretary of the Department of Homeland Security, after his removal on June 03, 2019.
6. Based on the records of the Department of Homeland Security, I have determined that the defendant illegally reentered the United States subsequent to his removal on June 03, 2019.

Attested to by the applicant by telephone in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Randy Aponte
Border Patrol Agent

I, the Honorable Miroslav Lovric, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on March 25, 2025 in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Miroslav Lovric
United States Magistrate Judge